

PATENT
Attorney Docket No. INL-048

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9/26/03
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Amill et al.
SERIAL NO.: 10/022,481 GROUP NO.: 1641
FILED: December 18, 2001 EXAMINER: Davis, Deborah A.
TITLE: FREE ANALYTE DETECTION SYSTEM

RECEIVED

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SEP 24 2003

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RESPONSE TO RESTRICTION REQUIREMENT

This paper is submitted in response to the Restriction Requirement mailed from the U.S. Patent and Trademark Office on April 16, 2003 for the above-referenced patent application. Applicants respectfully submit a check for \$1,450.00 for a four month extension of time. Applicant believes that no other fees are due. However, in the event that fees are due, the Commissioner is hereby authorized to charge any such fee to Attorney's Deposit Account No. 20-0531.

In response to the Restriction Requirement dated April 16, 2003, Applicants hereby provisionally elect, with traverse, the claims of Group I (claims 1-17 and 32), drawn to a method of detecting an unbound form of a first member of a binding pair, the binding pair comprising a first and second member, each member bindable to the other, classified in claim 435, subclass 7.1. Applicants do not waive or abandon any rights in the non-elected inventions.

Applicants respectfully request that at least the group II claims 18-22 be rejoined to claims 1-17 and 32 for the reasons provided below.

MPEP §803 specifies two requirements for restriction. First, the inventions of the groups alleged to be separately patentable must be independent and distinct. Second, there must be a serious burden on the Examiner to justify restriction. We respectfully submit that examination of Groups I and II would not seriously burden the Examiner. The claims in group II recite a composition for detecting an unbound form of a first member of a binding pair. The claims of

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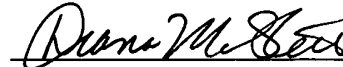
group II recite a method in which the composition is formed. Applicants therefore urge that the examination of both groups would not create an undue search burden on the Examiner. Applicants therefore respectfully request that the groups be rejoined.

Date: September 15, 2003
Reg. No. 43,153

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Respectfully submitted,



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